

# Local Review Criteria Consolidation

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## Locally-Designated Historic Properties

Local historic landmark and district designations are intended to protect the important historic character of the property or district are applied as zoning overlay districts. When each designation was originally adopted by the governing bodies a set of criteria to review proposed future changes to properties was adopted. For the 80 designated local historic landmark properties, the Secretary of the Interior's Standards for Rehabilitation have been adopted for use by reference in the landmark ordinance of designation. In historic districts, the review criteria are found within the larger preservation plan for the district as a whole that lays out the history, architectural significance, inventory, and policies for preservation. There are currently seven local historic districts designated:

- Downtown Durham
- Cleveland Street
- Holloway Street
- Fayetteville Street
- Morehead Hill
- Trinity Heights
- Watts Hillandale

The six districts that are primarily residential in nature have virtually identical language in the adopted review criteria. The Downtown district has a completely different set of criteria. These criteria are used by the HPC and Planning staff when considering requests for modifications, site work, or new construction to properties with a local historic designation.

## Certificates of Appropriateness

As per paragraph 3.17.1 of the *Unified Development Ordinance*:

“...after the designation of an historic district or historic landmark, no exterior feature or designated portion of any building...shall be erected, altered, restored, moved or demolished within or on such historic district or historic landmark until after an application for a certificate of appropriateness (COA)...has been submitted to and approved by the Historic Preservation Commission (HPC).

Currently, the review criteria contained within each district's preservation plan, or the Secretary of the Interior's Standards for Rehabilitation for landmarks, are used by the HPC in their review and approval of COAs.

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## Historic Preservation Commission

This HPC is comprised of nine members that are appointed to serve the community by our elected officials. The Commission is charged with reviewing COA applications against criteria adopted by elected officials and with providing recommendations on historic resources in the City and County (such as National Register nominations, local historic landmark designations, and local historic district designations). The Commission meets monthly.

## Consolidation Project Background

Since the adoption of the criteria, Planning staff and the HPC have identified several key historic preservation issues where the criteria did not provide clear direction: archaeological sites; cemeteries; Modern architecture; work in the right-of-way; sustainability; new alternative or substitute materials; and distinctions between landmark properties, contributing properties, and non-contributing properties. The proposed criteria attempt to rectify these issues. In addition, in order to simplify and streamline review for applicants, the HPC, and staff, the criteria have been consolidated into a single document, applicable to all districts and landmarks.

## Overview of Consolidated Criteria

The criteria are divided into separate sections for Residential Districts (everything except Downtown), the Downtown District, Landmarks, Cemeteries, and Archaeological Sites. Within the districts, separate criteria are established for Contributing Properties, Non-Contributing Properties, and Rights-of-Way. Based on the designation of the property (district or landmark) and the significance of the property (contributing or non) in question you can go to one section to find all of the relevant criteria for your project. The criteria are set up in a hierarchical fashion so that landmarks are held to the highest preservation standards, contributing structures in districts have a bit more flexibility, and then non-contributing structures and new construction have a great deal of flexibility, focusing mainly on placement, scale, height, and general compatibility of the architecture.

## Updates to District Preservation Plans

Since the existing review criteria are adopted in each preservation plan, part of this project is to revise those plans to remove the old criteria and adopt by reference in these plans the new consolidated local review criteria document. Since revisions to these plans are necessary a few other changes are included as well. First, out dated references to ordinances or to properties that may have been demolished are being corrected or removed. Second, the significance classification (either contributing or non-contributing) for each district property has been reassessed with this project.

Contributing properties are those properties that make up the intact historic character of a district.

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Non-contributing properties are those properties that are not part of the historic character of the district, generally due to age or incompatible modifications.

Staff used the following methods in re-evaluating the significance of each property.

- Standard practice no longer includes the classifications of “pivotal” and “intrusive,” therefore all pivotal properties were changed to contributing and all intrusive properties were changes to non-contributing.
- All vacant properties have been classified as non-contributing for the purposes of applying the non-contributing criteria to new construction.
- Generally, properties constructed within the period of significance for each district (see pages 9-14 of the draft) are classified as contributing. In establishing the period of significance the overall architectural styles and periods of development for each district were considered.
- Some properties constructed within the period of significance for the district are classified as non-contributing, generally if inappropriate modifications have been made to the property or if the property does not represent a significant or common architectural style within that district.
- Properties constructed after the period of significance for each district are classified as non-contributing.

## Next Steps

We are currently bringing the draft criteria document and updated preservation plans through the public hearing and adoption process. Since the criteria for each district were adopted as part of a zoning overlay district, the process for adopting the consolidated criteria document and the revised preservation plans follows the process for zoning map changes (even though no changes to the district boundaries are proposed with this project). The tentative timeline for the adoption process is as follows, please note that the estimated dates may change depending on public input throughout each remaining step of the process.

- Historic Preservation Commission public hearing and recommendation: September-October 2015
- Planning Commission public hearing and recommendation: November 2015
- City Council public hearing and adoption: January 2016

## Staff Contact

Any questions on this project can be directed to Lisa Miller ([Lisa.Miller@DurhamNC.gov](mailto:Lisa.Miller@DurhamNC.gov) or 919-560-4137 ext. 28270). Feedback is being requested by August 15, 2015.